

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

NICHOLAS A. JOHNSON,
*on behalf of himself and
all others similarly situated,*

Plaintiff,

Case No. 18-CV-462

v.

NATIONAL TECHNOLOGIES, INC.,

Defendant.

**ORDER GRANTING JOINT MOTION FOR FINAL APPROVAL OF SETTLEMENT
AND APPROVING PLAINTIFF'S PETITION FOR ATTORNEY FEES**

WHEREAS, the Court has previously preliminarily approved the parties' Settlement Agreement, ECF No. 31-1, has reviewed the Joint Motion for Final Approval of Settlement, ECF No. 53, has reviewed the Petition for Approval of Attorneys' Fees and Costs filed by Plaintiff's counsel, ECF No. 44, and has held a fairness hearing regarding the same on July 11, 2019:

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The Settlement Agreement is approved as fair, reasonable, and adequate as it applies to the named plaintiff (Nicholas A. Johnson), the remaining members of the Wisconsin Class, and the Opt-In members of the FLSA Collective;
2. The Settlement Agreement is declared to be binding on Defendant, Mr. Johnson, the remaining members of Wisconsin Class, and the Opt-In members of the FLSA Collective;

3. The released claims are **DISMISSED with prejudice** and Mr. Johnson, all remaining members of the Wisconsin Class, and the Opt-In members of the FLSA Collective are permanently barred from filing or prosecuting against Defendant any claims according to the applicable releases described in the Settlement Agreement.

4. The claims of Class and Collective members who do not participate in the Lawsuit are **DISMISSED without prejudice**;

5. Defendant and any of its affiliates, predecessors, successors, past present and future officers, directors, agents, members, managers, partners, attorneys, executors, employee benefit plans, insurers, assigns, and other representatives are forever released and discharged by Mr. Johnson and all participating members of the Wisconsin Class or FLSA Collective of and from any and all federal and state wage and hour claims that were asserted or reasonably could have been asserted in this matter, as of the date of the Order Granting Joint Motion For Final Approval Of Settlement;

6. Class Counsel's request for an award of attorneys' fees in an amount not to exceed \$105,662.49 is **APPROVED**, and the service award to Mr. Johnson in the amount of \$8,500 is **APPROVED**;

7. Class Counsel's current hourly rates of \$400.00 for attorneys James A. Walcheske, Scott S. Luzi, and David M. Potteiger and current hourly rate of \$325.00 for attorney Matthew J. Tobin are **APPROVED**; and

8. Defendant and any of its affiliates, predecessors, successors, past present and future officers, directors, agents, members, managers, partners, attorneys, executors, employee benefit plans, insurers, assigns and other representatives are forever released and discharged by Johnson of and from any and all claims known or which reasonably should have been known by Mr. Johnson based on any fact or occurrence on or before the date of the Order Granting Joint Motion For Final Approval Of Settlement.

Dated at Milwaukee, Wisconsin, this 12th day of July, 2019.

BY THE COURT:

s/ David E. Jones

DAVID E. JONES
United States Magistrate Judge